

vehicle that puts water vapor out the tailpipe.

If we can decide as a country that our policy should be that our children or their children no longer drive vehicles with an internal combustion engine that requires us to get oil from Saudi Arabia, Kuwait, Iraq, or Venezuela, we will have done something very significant for the defense of this country.

This is about national security. We cannot be timid. And we cannot take baby steps towards an energy policy.

When we develop an energy bill—and I am on the Senate Energy Committee and I want to be part of developing that bill; I voted for the last one in the Senate; it was very controversial but I voted for it—it needs to be a bill that includes four pieces.

First, we have to incentivize additional production. Yes, it is digging and drilling, but if that is the only title, it is over. We do not accomplish much at all. Second, we need much more conservation. We waste so much more energy than we should. It is incredible how much energy we waste. We need conservation. Production, conservation. Third, we need efficiency. Everything we do, from turning on the bathroom light in the morning to using the electric shaver we plug in, can be so much more efficient and could save a substantial amount of energy. Fourth, we need renewable forms of energy. Yes, that is wind energy, solar, biodiesel, and ethanol.

Collectively, we need to create a significant national program, an Apollo-like program, where our Nation exerts its will and says: Here is where we are headed and here is how we will get there. It has to be a collective national will for us to decide we will escape the excessive dependence we have on Middle East oil. That is the only way we will achieve this goal.

I know it is longer term. But, if we do not take the first step, we can never get there. When we write a new energy proposal, I will again—and I have visited with Dr. Bodman about this—I will work with my colleagues and propose a very aggressive Apollo-type or Manhattan-type program that says, let's head this country in a new direction with a fresh choice, a different choice that makes us less dependent on the oil that comes from the ground in the Middle East.

We have no choice but to consider an energy bill a priority, a new energy policy a priority. We need to get it right. There are enough ideas to go around. I don't think any one party or any one philosophy has a lock on good suggestions or ideas with respect to a new energy bill. I do believe this, those who cling to the past and those who believe digging and drilling represents America's energy future do no service to our kids and grandkids.

As we grapple with this issue, and with the help and leadership of Dr. Bodman at the Department of Energy when he is confirmed next week, my

hope is we can do something significant and at the end of our careers we can say we produced a significant new and interesting energy policy that takes this country well beyond the dependence that now holds us hostage.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona.

#### ATTORNEY GENERAL JOHN ASHCROFT

Mr. KYL. Mr. President, this morning, on a party-line vote, the Judiciary Committee agreed to send the nomination for the U.S. Attorney General of Judge Alberto Gonzales to the Senate floor. It is the leader's intention, as I understand it, to bring that nomination to the floor next week. So it appears to me relatively obvious that the United States of America will have a new Attorney General within the next couple of weeks.

I did not want the opportunity to pass to talk a little bit about the current Attorney General, a person for whom I have absolute respect and express appreciation for his service, not only for the State of Missouri when he represented that State as Governor and later as a Senator but for all of America during his service in the last 4 years as Attorney General of the United States.

I think sometimes people have overlooked the record of this Attorney General. I wanted to take a moment this evening to talk about some of the accomplishments of the Bush administration, and specifically the Justice Department under the leadership of Attorney General John Ashcroft. But first I want to say a couple of personal words about John Ashcroft.

When his confirmation hearing was held 4 years ago, there was opposition to him because he was deemed to be a conservative. His views were deemed to be too firmly held. Some people called him rigid in his ideology. Some people thought he was too faithful to his religion. No one questioned his intelligence or his integrity or his experience.

He is a graduate of one of the finest law schools in the country, the University of Chicago. He clearly had the public service, as a Governor of the State and as a U.S. Senator. Very few attorneys general had the same kind of experience he had.

But throughout his tenure, I think he has been criticized less for what he has accomplished than for the kind of person he is. It ought to be the other way around. People should look at the kind of leadership John Ashcroft has pro-

vided the Justice Department and be thankful that we had such a firm, intelligent, upright, faithful, and strong Attorney General. These years have called for strength which we could not have anticipated when John Ashcroft was confirmed just 4 years ago. But because just a few months later this country was brutally attacked in September of 2001, all of our public servants had to begin to operate their departments in a way they had never operated them before.

The Justice Department was no different. In fact, the Justice Department was on the front line of our defense of the homeland. There was no Homeland Security Department at that time. Immediately, the Justice Department had to begin changing the way it did business. The FBI, under the jurisdiction of the Justice Department, had major changes. Thankfully, under the leadership of John Ashcroft and now Bob Mueller, the Director of the FBI, things have begun to change, but it has not been easy. Without the strong and firm and steady leadership of John Ashcroft, it would likely not have happened.

The first obligation, therefore, of the Attorney General was and is the protection of Americans, preventing another terrorist attack, and ensuring that we maintain the proper balance between the protection of our own civil rights and our security from terrorist attack. During the period of time John Ashcroft has served, we have shut down numerous terrorist operations and cells across America. In fact, I am informed the Justice Department has brought criminal charges against 364 individuals and obtained convictions against 193 of them. Over \$2 million in funds has been frozen.

I know, because I have talked to Attorney General Ashcroft and foreign leaders, he has been able to forge a relationship with his counterparts in other countries. For example, not to be exclusive, but our European allies helped us go after terrorist cells in countries around the world. Largely because of his success in that, we have been able to integrate our law enforcement activities with other countries. Even though people may be concerned about the support that some of our allies have failed to give us in operations such as those in Iraq, I can tell you the cooperation in law enforcement and going after terrorists and terrorist cells has been very good. That is one of the good news stories in the war on terror, and John Ashcroft had a lot to do with that.

With regard to the first obligation that the Attorney General has to the American people, I can't think of a better person to have in place after 9/11 than John Ashcroft. His Department has done a terrific job.

One of the areas that is of most concern to me is violent crime. For years, Senator FEINSTEIN and I labored to secure passage of a constitutional amendment to protect the victims of

violent crime. No one was more supportive of that effort than Attorney General John Ashcroft. In fact, President Bush came to the Justice Department and, with Attorney General Ashcroft and John Gillis, who heads the Department of Justice office in charge of supporting victims of crime, they made very strong and passionate statements in support of our amendment to protect crime victims.

Eventually we were able, this year, to get passed not a constitutional amendment but a Federal law that has been signed into law to protect the rights of people in the Federal court system who were victims of crime, with significant incentives for the same protections to exist in the State courts. John Ashcroft was very supportive of those efforts. I express my great appreciation to him for that.

But he has not only worked to help the victims of crime, he has helped to reduce crime itself. There are some interesting statistics here from the Bureau of Justice Statistics. The rate of violent crime is at a historic 30-year low. In the past 3 years, the overall rate of violent crime has declined 27 percent from the previous 3-year period. Over the past 3 years, there has been a double-digit reduction in the rate of rape and sexual assault, a 31-percent reduction; robbery, 31 percent; assault, 26-percent reduction. Obviously, these are not just statistics, these are real people whom we have ensured are not victimized who otherwise might have been victimized.

Mr. President, 1.7 million fewer citizens in America have experienced the pain of violent crime in this period between 2001 and 2003. That is not all attributable to the work of the Department of Justice or Attorney General Ashcroft, but a lot of it is. It has been overlooked, and I think he deserves credit for that.

Gun crime is something else he pledged to work on as Attorney General, and he kept his pledge. The Justice Department has increased Federal gun crime prosecutions by 68 percent over the past 3 years. In the fiscal year 2003, more than 13,000 offenders were charged, which is the highest figure for any single year. More than 9,500 individuals were convicted, which is the largest number ever convicted in the Federal system in a single year. This has been a priority. As a result, there have been fewer gun crimes committed.

On illegal drugs, something we all are concerned about, working with John Walters, the so-called drug czar, the Drug Enforcement Agency, the Department of Justice, and Attorney General Ashcroft have been very committed to going after all of the various aspects of the illegal use of drugs in the United States as well as their importation into the country. There have been a variety of operations, but just to cite an overall statistic, in the past 2 years, 15 major drug-trafficking organizations have been dismantled or disrupted. The statistics on all of the

major drugs, from marijuana to the hallucinogens to Ecstasy, LSD, show the use of drugs is falling. Part of that will be the result of the significant efforts of the Department of Justice.

We were shocked to see corporate fraud raise its ugly head in this country a couple of years ago, and the Department of Justice went after that with a vengeance. The corporate scandals that had festered for some time were finally brought to light after 2001. As a result of the work of the Corporate Fraud Task Force that the President created, with tough investigation by our prosecutors, the Department of Justice brought more than 900 violators being charged in more than 400 cases. Over 500 individuals have been convicted or pled guilty since that time, including top executives at companies like WorldCom, Enron, Mclone, and others.

Why is this important? America has to lead the world in terms of respect for the rule of law and transparency and integrity. This is part of what we believe to be the fundamentals of free government. It is important for the administration and especially the Department of Justice to show that it is committed to ensure that this transparency and integrity remains as a hallmark of our economic system. Therefore, the Corporate Fraud Task Force in its work was critical to achieving that goal.

In the other areas for which the Department of Justice has responsibility, from civil rights to civil fraud to environmental enforcement, in each of these areas there have been significant achievements. One statistic: In the area of civil rights, in the past 3 years, 439 people have been charged with criminal civil rights violations, which is more than during the preceding 3 years. Civil fraud recoveries doubled for the past 3 years.

By the way, the number is pretty astonishing—\$5 billion.

In environmental enforcement, there have been a variety of actions. The Department of Justice obtained the largest civil penalty in history against a single company for violation of an environmental statute.

There is so much more one could say about the Department of Justice under John Ashcroft's leadership. The point I want to simply make this evening as we are preparing to begin a new administration—a second Bush administration with new leadership in the Department of Justice—is I think we should reflect a little bit on the achievements of this past 4 years and on the individual who helped to achieve these results.

As a former colleague of all of us in the Senate, I know we wished John Ashcroft well when he took his oath of office. Although not all of us have agreed with every action of the Department of Justice since then, I think we have to agree that John Ashcroft's integrity and commitment were hallmarks of his leadership of the Depart-

ment of Justice. I for one appreciate the personal commitment that he made. Throughout his term, I spent time with John and his family. I know how hard he worked in his job. America has had no more faithful servant. The President has had no more faithful servant in the execution of the policies of the administration than Attorney General John Ashcroft. He put his heart and soul into the job. He committed 4 years of his life to continuing to serve the people of this country.

I think for that, and for the great success that his Department achieved, we owe him a debt of gratitude. As we begin this next administration, as we confirm people to serve in the next administration, I hope we will also pause to thank those who have served in the first Bush administration—all of the American people—and say our hat is off to them, and to say Godspeed, we wish you the very best in the future. Take a little time off so you can reflect a little bit not only on what you did but on what you will need to do now to spend time with family and friends and enjoy the thanks that we are now sharing.

I know my colleagues join me in wishing Attorney General Ashcroft well. And perhaps some will have more to say about his service in the past, but I didn't want this opportunity to pass, because he has been truly one of the great public servants to serve this country. I will personally miss him in that position, and I personally wish him well.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FEINGOLD. Mr. President, today, as I did in the Foreign Relations Committee, I cast my vote in favor of the confirmation of Dr. Rice to be Secretary of State. I did so not because I endorse Dr. Rice's views but because, barring serious concerns about a nominee's qualifications or serious ethical lapses, the President has the right to appoint Cabinet officers who share his ideology and his perspective. In keeping with Senate practices and precedents, my inclination is to give the President—any President—substantial deference in his Cabinet choices. I do not agree with many of the President's foreign policy choices. But as President, he generally has a right to a Cabinet that shares his perspective and agenda.

However, I want to be clear that I was troubled by some of Dr. Rice's statements in the hearing. Our most senior diplomat, our emissary to the entire world, should be able to represent our core values. Dr. Rice's failure, and the failure of the administration, to categorically reject tactics

that the average American would acknowledge to be torture is more than disappointing. It is dangerous, and it is shameful.

I also want to restate my view that the President's foreign policy over the last 4 years has been, on many fronts, misguided and self-defeating. I have discussed these issues in much greater detail on the Senate floor and in the Foreign Relations Committee. I am troubled by the damage done to our image around the world, I am concerned by our loss of focus in fighting terrorism, I am angry about the use of shifting justifications and faulty information to sell the war in Iraq, I am angry about the failure to plan for the fact that overthrowing a regime leads to disorder and disorder leads to looting, I am angry about the official insistence on grossly underestimating the bill that would be handed to the American taxpayer and then declining to budget for this massive expense once its parameters became more clear, I am angry about the mismanagement of efforts to put a competent Iraqi security force in place, I am angry about the woefully slow pace of reconstruction, and I am angry about this administration's failure to ensure that our troops were adequately equipped for the circumstances in which they found themselves. Many people in this country and in this Congress are troubled not only by the mistakes, but by the fact that there appears to be no real accountability for these failures.

At one point in the course of the hearing, Dr. Rice expressed some indignation regarding questions or remarks that she felt impugned her credibility. Her credibility is a legitimate question. Dr. Rice made sweeping, public characterizations about aluminum tubes sought by Iraq before the war began that were, quite plainly, misleading. She permitted a reference to Iraq seeking uranium from Africa, a reference that she knew the intelligence did not support, to be included in a major presidential address. She has a credibility problem, not just among skeptics in this country, but around the world. Once confirmed, Dr. Rice will be accountable to Congress in a way that she was not as the President's National Security Advisor. I hope that Dr. Rice fully understands her obligations to tell the duly elected representatives of the American people the whole truth.

President Bush, like any President, is entitled to a Cabinet that reflects his views. But I will continue to oppose every bad policy, to question every baseless assertion, and to advocate for a wiser course that will make our country more secure. The stakes for the current and future generations of Americans are far too high to do anything else.

Ms. CANTWELL. Mr. President, I want to detail for the Senate the reasons why I voted to support the nomination of Condoleezza Rice to be our Nation's next Secretary of State. Her di-

verse professional background as a Professor at Stanford University specializing in Russian affairs, her time as President Bush's National Security Advisor, and her demonstrated understanding of world affairs and diplomacy qualify her to run the Department of State.

My support for Dr. Rice does not come without reservations about the direction this administration has taken with regard to foreign policy. We confront an enormous responsibility with respect to world affairs. The individual charged with the running of the State Department will set the direction for our country's policies around the world. This person will have the power to decide whether to nurture and develop, or halt our Nation's great diplomatic efforts.

I hope Dr. Rice works to promote democracy throughout the world, not just by employing our ample military force, but that we seek to develop democracy organically, where it has not taken hold. Democracies will be more receptive to our products, ideas and people, and our Nation should approach its foreign policy decisions with these long-term goals in mind. My State of Washington is heavily reliant on international trade, and we also create and circulate information in this age of high technology, which should be a principal part of our foreign policy strategy.

The Senate does not, by confirming Dr. Rice, place the responsibility for this country's diplomacy in the hands of a single individual. I do not believe that the American people are ready to ignore the voices of our humanitarian community who remind us how fragile and vulnerable our international relationship can be. I am hopeful that these voices will be heard by Dr. Rice. I am placing my trust in her that she will embrace her duty to take into account the future and foreseeable consequences of her actions, and that she will be guided by the knowledge that this Senator will raise those consequences at all appropriate occasions.

#### RULES OF PROCEDURE—COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CHAFEE. Mr. President, I ask unanimous consent that the rules of the Committee on Environment and Public Works be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

##### JURISDICTION

##### *Rule XXV, Standing Rules of the Senate*

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

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(h)(1) Committee on Environment and Public Works, to which committee shall be re-

ferred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Air pollution.
2. Construction and maintenance of highways.
3. Environmental aspects of Outer Continental Shelf lands.
4. Environmental effects of toxic substances, other than pesticides.
5. Environmental policy.
6. Environmental research and development.
7. Fisheries and wildlife.
8. Flood control and improvements of rivers and harbors, including environmental aspects of deepwater ports.
9. Noise pollution.
10. Nonmilitary environmental regulation and control of nuclear energy.
11. Ocean dumping.
12. Public buildings and improved grounds of the United States generally, including Federal buildings in the District of Columbia.
13. Public works, bridges, and dams.
14. Regional economic development.
15. Solid waste disposal and recycling.
16. Water pollution.
17. Water resources.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to environmental protection and resource utilization and conservation, and report thereon from time to time.

##### RULES OF PROCEDURE

##### RULE 1. COMMITTEE MEETINGS IN GENERAL

(a) REGULAR MEETING DAYS: For purposes of complying with paragraph 3 of Senate Rule XXVI, the regular meeting day of the committee is the first and third Thursday of each month at 10:00 a.m. If there is no business before the committee, the regular meeting shall be omitted.

(b) ADDITIONAL MEETINGS: The chair may call additional meetings, after consulting with the ranking minority member. Subcommittee chairs may call meetings, with the concurrence of the chair, after consulting with the ranking minority members of the subcommittee and the committee.

##### (C) PRESIDING OFFICER:

(1) The chair shall preside at all meetings of the committee. If the chair is not present, the ranking majority member shall preside.

(2) Subcommittee chairs shall preside at all meetings of their subcommittees. If the subcommittee chair is not present, the ranking majority member of the subcommittee shall preside.

(3) Notwithstanding the rule prescribed by paragraphs (1) and (2), any member of the committee may preside at a hearing.

(d) OPEN MEETINGS: Meetings of the committee and subcommittees, including hearings and business meetings, are open to the public. A portion of a meeting may be closed to the public if the committee determines by roll call vote of a majority of the members present that the matters to be discussed or the testimony to be taken—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) relate solely to matters of committee staff personnel or internal staff management or procedure; or

(3) constitute any other grounds for closure under paragraph 5(b) of Senate Rule XXVI.

##### (e) BROADCASTING:

(1) Public meetings of the committee or a subcommittee may be televised, broadcast, or recorded by a member of the Senate press gallery or an employee of the Senate.

(2) Any member of the Senate Press Gallery or employee of the Senate wishing to